NEW YORK HERALD, SATURDAY, MARCH M. 1808 TRIFLE SHRET.

sing a State in the Union you know, we have reclamation after proclamation, under the hand of the Executive, to that effect.
What has Congress done? Let us see. The constitution of the United States provides, as you rememen, that "representatives and direct taxes shall be poportioned among the several States which may be necluded within this Union." You cannot, under the constitution apportion representatives and direct constitution apportion representatives and direct apportioned among the several States which may be included within this Union." You cannot, under the constitution, apportion representatives and direct taxes except among the States of the Union. What was among the very first acts of Congress on this subject? On the 5th of August, 1851, Congress passed this act:—"That a direct tax of 20,000,000 be and is hereby annually laid upon the United States, and the same shall be and is hereby apportioned to the States respectively, in manner following:—To the State of Mississippi, \$413,084%." This was in August, Mississippi seeded in January preceding. Is not that a declaration of Congress that Mississippi was one of the States of this Union at that time, six months after the act of secession, and during dagrant war? These acts have been regularly continued from year to year down to 1866, as I show by references in the appendix to my brief. Down to 1866 Congress has regularly provided for the apportionment of these taxes among the States which are included in this Union, Mississippi among the rest. Is not that a recognition? Next, in the act of July 16, 1862, the rebel States are all divided into districts for the different Circuit Courts. That could not be unless they were States. And en the 2d of March, 1867, chapter 185, an act was passed in respect to the appeals from rebel States. That could not be unless they were States. And en the 2d of March, 1867, chapter 185, relating to the electoral colleges. Let me read that to show how completely Congress kept in view the constitutional relations of the States down to the day when they passed this act:—

Whereas the inhabitants and local authorities of the States of Virgiula, North Carolina, South Carolina, Georgie, Florida,

when they passed this act:—
Whereas the inhabitants and local authorities of the States
Firgula, North Carolina, South Carolina, Georgia, Florida,
labama, Mississippi, Louisiana, Texas, Arkansas and Tensasses rebelled against the government of the United States,
and were in such condition on the 8th day of November,
st, that no valid election for electors of President and Vice
resident of the United States, according to the constitution
at laws thereof, was held therein on said day; therefore
Be it resolved, &c., That the States mentioned in the premible for this joint resolution are not entitled to representaon in the Electoral College for the choice of President and
the President of the United States for the term of office
smannening on the 4th day of March, 1885; and no electoral
stess shall be received or counted from said States concernty the choice of President and Vice President for said term
of office.

Take the constitutional amendments passed by congress—the first great amendment abolishing slavery. Congress passed that by the requisite majority and ordered that it should be sent to the Legislatures of the several States, not excluding any States from the consideration of that proposition of amendment. They were sent to every State in the Union, and here is the proclamation of the Secretary of State in regard to its adoption, made as early as December, 1865, in respect to which no dissent has ever been expressed by either House of Congress—

Know vs. that whereas the Congress of the United States.

Econ expressed by either House of Congress:—

Know ye that whereas the Congress of the United States, as the lat of February last, passed a resolution which is in the following words, namely:—(Recting the constitutional a Hendment abolishing slavery.)

And whereas the whole number of States in the United States, is hirty-six; and whereas the before specially named States whose Legislatures have ratified the said proposed amendment constitute three-fourths of the whole number of States in the United States;

Now, therefore, be it known that I, William H. Seward, Secretary of State of the United States, by virtue and in pursuance of the second section of the act of Congress approved the 20th of April, 1818, entitled "An act to provide for the publication of the laws of the United States, and for other purposes," do hereby certify that the amendment aforesaid has become valid, to all intents and purposes, as a part of the constitution of the United States.

Among the States are Louislana and South Caro-

Among the States are Louisiana and South Caro-lina, and without the vote of those rebel States that amendment has never been adopted, unless you ex-clude the eleven States from the Union and say a majority of the rest may make an amendment. Let me take the decision of the Chief Justice in North Carolina. I am not able to say, from the report of the case, whether one of the parties was designated as a citizen of one State and the other of North Caro-lina.

as a citizen of one State and the other of North Carolina.

The Chief Justice—They were.

Mr. Field, resuming:—Tell me, then, if that be a legal judgment or not? Here the Chief Justice made a memorable decision which satisfied the legal mind of the country, where, if this argument is true, he had no more jurisdiction than I. There was no state of North Carolina, because there was no State of North Carolina, and the judgment was vold. But I have not yet done. Has there been a legal government in thus Union during the war? Are the acts upon the statute book binding? Is it not a familiar principle that the verdict of a jury in order to be valid must be a verdict by twelve men, and it becomes good for nothing if one member is added to the jury, making the verdict one of thirteen? During all this war, up to the time when the reconstruction act was in consideration, there were two Senators in the Senate Chamber from the ancient State of Virginia. But Virginia is declared now not to be a State in this Union, and of course never has been since the war began or since she seceded. If so, you have had two members in the Senate of the United States all the time who had no right to be there. What is the effect of that upon legislation? Has that been considered? By what sort of legerdemain, I ask, is it that Virginia, which had seats in Congress up to 1886, is now declared not to be entitled to any representation? It had four members in the Lower House during nearly the whole war, this State of Virginia, which is now understood not to be a State in the Union. Where under the constitution is there power to give any man a vote unless he be from a State? Congress is receding and going back upon its own footsteps; we are arguing for constitutional, regular governments. They are the revolutionists; Congress is receding and going back upon footsteps; we are arguing for constitutional, regular governments. They are the revolutionists; they are those who are endeavoring to destroy the national life. Tennessee is another State. There was one Senator at least who stood his ground, "faithful among the faithless," and he remained in the Senate, I think, two years, till 1862—yes, two years and over—and that was Andrew Johnson. What right had he to be in the Senate if Tennessee was not a State in this Union? Will you tell me? Were any laws passed with his concurrence and by the help of his vote? Let us go into the House of Representatives, and we find Tennessee had two members there. Clemens and Maynard; Maynard being there during the whole war. And yet, if you will look at this most remarkable joint resolution of the 24th of July, 1866, you will conclude that Tennessee has been out of the Union all the time:—Whereas in the year 1861 the government of the State of

Messee has been out of the Union all the time:—

Whereas in the year 1861 the government of the State of Sunnessee was setzed upon and taken possession of by persons in hostility to the United States, and the inhabitants of a said State, in pursuance of an act of Congress, here declared to be in a state of insurrection against the United States; and whereas said States government can only be restored to its former political relations in the Union by the courset of the semanting power of the United States; and whereas the people of said State did, on the flat day of February, 1885, by a large popular vote, adopt and raifly a constitution of government whereby slavery was abolished, and all ordinances and sweet seed to be supplied to the constitution of the United States abolished according to the constitution of the United States abolished according to the constitution of the United States abolished according to the constitution of the United States abolished according to the constitution of the United States abolished according to the constitution of the United States abolished according to the constitution of the United States abolished according to the constitution of the United States abolished according to the constitution of the United States abolished according to the constitution of the United States and the second of the constitution of the United States and the second of the constitution of the United States and the second of the Constitution of the United States and the second of the

oyalty; therefore, resolved by the Senate and House of Representative United States of America in Congress assembled, State of Tenosase is bereby restored to her former collitical relations to the Union, and is again entitled presented by Senators and Representatives in Con-

Was there ever such a document as that since the world segun? Whereas the State of Tennessee has ratified the constitutional amendment, therefore she may be restored, forgetting that if she was not a State, with a legal State government, the ratification was just so much waste paper. Let us go to Louisiana. She is in the same predicament. We have had from Louisiana in the House, Flanders and Hahn, from March, 1883, to March, 1865. What will our friends say to that? I now ask your attention to the action of the legislative and executive departments of the government in respect to the question of existing war or peace. You remember that the argument of my learned friend was, that we are now in a state of war; that we have a right to exercise the rights of war; and that exercising the rights of war, and that exercising the rights of war, and that exercising the rights of war, and that exercising the recognized war as ended and peace as restored throughout the United States. Here is an act of March 2, 1867, passed the same day this Reconstruction act was passed, to increase the pay of non-commissioned omeers and soldiers, as follows:—

Sto. 2. And be it further enacted, That section one of the act entitled "An act to increase the pay of soldiers in the United States army and for other purposes," approved June 20, 1864, be and the same is hereby continued in full force and effect for three years from and after the close of the rebellion, as announced by the President of the United States by proclamation bearing date the 20th of August, 1866.

I wish to call your attention to that act, because if there ever was a case in which they are foreedosed. Was there ever such a document as that since the

bellion, as announced by the President of the United States by proclamation bearing date the 20th of August, 1898.

I wish to call your attention to that act, because if there ever was a case in which they are foreclosed from any argument of the kind—that there is any war—this is one. And here is the proclamation of the President of the United States, to which this act of Congress refers, referring to the previous proclamation, and ending as follows:—'I do further proclaim that the said insurrection is at an end, and that peace, order and tranquility and civil authority now exist in and throughout the whole United States of America. Can anything be imagined more extraordinary than that the same persons who passed these acts should come here and maintain that we have a right to deal with the South as if there were no peace, but flagrant war to this very hour? There is one comprehensive act which, I should think, might determine the question as to the state of the South. It is an act passed the 2d of March. In the desire of Congress to indemnify everybody they ratified everything the President had ever done. The act is as follows:—

An att declarately and accompliance and actions and the processing the president had ever done.

An act to declare valid and conclusive certain proclamations of the President and acts done in pursuance thereof, or of his orders, in the suppression of the late rebellion against the United State.

United States.

Be it enacted, fic., That all acts, proclamations and orders of the President of the United States, or acts done by his authority or approval after the 4th of March, Anno Domini 1861, and before the lat day of July, 1889, respecting martial law, military trais by cours martial or military commissions, &c., during the late rebellion, are hereby approved in all respects.

The statute book is full of references to "the late war" and "the war that has closed" and "the war that is happly ended," and among them is one which cannot forbear reading, a very appropriate resolution of thanks, as follows, passed in May, 1860:—

Resolved by the Senate and House of Representatives of the Tolical States of America in Congress assembled, That it is the duty and privilege of Congress to express the gratitude of the nation to the officers, solders and seame of the United States, by whose valor and endurance, on the land and on the

Ha".e I not said enough to show that the legislative der artment of the government, as well as the executive, has recognized, first, the State of Mississippi as being in the Union; secondly, has recognized a government as there existing; and thirdly, has recognized the war as ended, and peace, order, tranquility and civil authority as existing throughout the land?

eriment as there existing; and thirdly, has recognized the war as ended, and peace, order, tranquility and civil authority as existing throughout the land?

This is my answer, if the court please, to the propositions brought forward by the learned counsel, and elaborately argued; and I hope that I have given—imperfectly I grant—a sufficient answer to them all. There yet remains another point not in the brief, nor do I find it in any written paper, but very much urged in the argument, and constantly referred to in public debate, and that is necessity. These military governments of the South, they say, are legal because they are necessary. The usual phrase is, "This government has a right to live, and no other government has a right to contest it; and whatever Congress determines as necessary to this national life is right, and therefore the Executive and this court are to recognize it as so." What necessity do they speak off There is no federal necessity do they speak off There is no federal necessity. The federal courts are open; the federal necessity. The federal no interference with any commissioner or officer of the United States anywhere in the country. There is no necessity, therefore, of a federal kind for any assumption of the government of Mississippi. What, then, is the necessity? "Why," they say, "they are unrepentant rebels." Is that the reason why the military government is there? If you are to wait until you get repentant rebels." Is that the reason why the military government is there? If you are to wait until you give repentant rebels." Southern States to govern themselves, because if we do the government will fall into the hands of unrepentant rebels. Well, what is that to you, if they obey the laws—if they submit to your government? They have been them to love you? Is that what you are aiming at? Of course, it should be the desire of all governments and the aim of all to make the people love as well as obey; but to give that as an argument for a military government established is an extraordina tary coercion? The Union men of the South, I have been to been told, are in the majority, and have ever been in the majority in the South, and it is the minority that have driven the people into secession. Is the government of the United States necessary to sustain the majority against the minority? A majority, we are told, of the white people! They say that secession was carried by a minority of the white people against the majority, and that the majority have always been loyal. Well, that is a complete answer, then, to this objection. Necessity for misgovernment is the staple reason given by tyranny all the world over. It was the reason given by Philip the Second for governing the Netherlands by the Duke of Aiva; it was the reason given for the misgovernment of Italy by Austria; It was the reason given for the misgovernment of Ireland by England.

I will here venture to call attention to an argument put forth with great force and ability by a learned gentleman, now deceased, Mr. Loring, who had the honor, I think, of suggesting this mode of dealing with the South, and who has attempted to justify it in a pamphiet which I have now before me and from which I will read one paragraph. He says:—

The power to wage war upon a State in rebellion for the preservation of the Union is a constitutional power necessarily invested in the government, solely for that purpose, and limited for that necessity. It cannot, therefore, be exercised for any other end nor beyond the means justly and reasonably required for its accomplishment. It cannot justify the holding of the territory of a State as conquered or aprovinces, under military rule, or deprive them of the rights of civil government any further than may be necessary to enforce present obedience to the constitution and laws, and for security against danger of future like disobedience and revoit.

That is the argument in the best form in which it can be stated. Now, I take leave to say that this is

to enforce present obedience to the constitute and for security against danger of future like disobedience and revolt.

That is the argument in the best form in which it can be stated. Now, I take leave to say that this is full of fallacies. In the first place, there is no power to wage war against a State for the preservation of the Union. This is a misstatement of the proposition. The power to wage war is to overcome resistance to the execution of the federal laws and the federal constitution, and that is all. You cannot wage war against a State for the abstract proposition that you wish to preserve the Union. The Union takes care of itself when you execute its laws; and you execute its laws when you overcome resistance, and that is the only end for which you can wage war. And then, furthermore, what right have you to wage war against them for the purpose of obtaining security against the danger of future like disobedience and revolt? Is that a constitutional right? Let us put it to the test.

to the test.

In 1860, when we saw, as clearly as men could fore see a future event, by the little cloud that was to darken finally the whole horizon, that war was coming, would it have been a constitutional exercise. coming, would it have been a constitutional exercise of power in the general government to wage war upon the South? Have we ever had a President ready to do that, or a Congress ready to undertake it? Can you send armies into any State of this Union for the purpose of guarding against the danger of future rebellion, and carry on war? You may have your armies ready, may garrison your forts and strengthen your outposts. That you can do and ought to do; but you cannot wage war. If you can, then we have no guarantee, for it rests forever in the discretion of Congress to order an army to make war upon a State whenever it may determine that there is danger of something being done which ought not to be done.

is danger or sometimes to be done.

A short time since a proposition was made to take into the kands of the federal government the whole State of Maryland and the whole State of Kentucky, upon the ground that they were disloyal in heart after all; that they did not mean really to be loyal, and that there was danger that hereafter they would

and that there was camper that herealite they would give aid and countenance to a new rebellion. I deny most explicitly that this limited government of ours has power to wage war against a State upon any the provided the provi

1. That there is no reason whatever for the propo-ition that Mississippi is not now a State of the American Union; 2. That not only is she a State of the Union, but her

American Union;

2. That not only is she a State of the Union, but her people have the rights of citizens of a State;

3. That whether she be or be not a State, or has or has not the rights of a State, the people there residing cannot be subjected to military government by the Congress of the United States; and

4. That, therefore, the petitioner, McCardle, is entitled to his release from the military commission which presumed to sit in judgment upon him.

And when such judgment is pronounced, as I hope and pray it may be, it will, I trust, be the endeavor of all good men to promote by their counsel and example the acquiescence of the other departments of the government. As it is your right in the last resort upon all cases that come before you to give final interpretation. There is no need to strain the authority of the government. The constitutional amendment not only abolishes slavery and makes freedom the rule power to enforce that article by appropriate legislation, and to see that the freedom of every man, of every race and condition is maintained.

It was the boast of an English orator and statesman, on a memorable occasion, when he delivered a message from the king to his faithful commons respecting the expedition to Portugal, that "wherever the standard of England is planted there foreign domination shall not ome." If we will firmly maintain the constitution of our fathers as modified by the great amendment, we shall be able to make it our greater boast, that where the standard of America is planted there shall be neither foreign domination nor domestic oppression.

NEW YORK CITY.

THE COURTS.

UNITED STATES DISTRICT COURT.

The Sherry Wine Trial. The United States vs. 1,209 Casks of Sherry .- Or the resumption of this case yesterday morning Mr. David Scrymser, a wholesale wine and spirit mer chant in Beaver street, was examined as to his knowledge of the particular grade of wine known as Crown sherry, which is always understood to be of a low grade. Some points in this witness' testimony low grade. Some points in this witness' testimony were matters of opinion which were in some cases overruled by the court. The next witness for the claimants was Mr. Lenuc, a wine merchant of upwards of thirty years' standing in New York. The witness was familiar with all the wine producing districts on the continent of Europe, and always knew Crown sherry to be a low grade of wine and sold at low rates, which varied very considerably. In comparing wines of the value of \$20 or \$28 the quarter cask he could not be accurate as to their real value, nor, perhaps, within \$5 of it. He considered sherry at \$25 or \$28 the quarter cask a fine grade of wine, and what he considered a low grade of sherry would be worth only about \$10 or \$12 the quarter cask. Case still on.

SUPREME COURT-CHAMBERS.

The Railway War-Arrest of General Alexander S. Diven.

Before Judge Barnard. On Thursday night General Alexander S. Diven, Vice President and one of the Board of Directors of the Eric Railway Company, was arrested under a the Eric Rallway Company, was arrested under a warrant of attachment for contempt of court issued by Judge Barnard. Mr. Diven is charged with violation of one of the injunctions in having signed the certificates of the new issue of a stock which was put on the market on Monday last under cover of the injunction granted by Judge Gilbert. The case will probably come before Judge Barnard this morning on an application to vacate the attachment. Mr. Diven is reported as having been about to leave the city by the train for Albany at the time of his arrest, to appear before the legislative committee now investigating the affairs of the Eric Railway Company. Warrants are reported to have been issued for the arrest of other members of the Board, but they have so far kept out of the line of march of the Sheriff's officers.

Decisions Rendered.

By Judge Barnard.
Richard Warren vs. Peter Hotbrook.-Mction denied.

John N. Eitel vs. Abram Wakeman.—Motion granted and reference ordered to hear and determine.

SUPERIOR COURT-SPECIAL TERM.

Before Chief Justice Robertson.

Alleged Wrongful Dismissal. McKay vs. Crump.-In this case the plainting claimed to have entered into copartnership, and brought an action to recover damages for dismissal from the establishment of the plaintiff. Defendant denies that any copartnership existed, and merely took the plaintiff into his employment with the understanding that if his services proved satisfactory he would take him as partner, but that his work generally having proved unsatisfactory he dismissed him. The court reserved decision.

Before Judge Russel.

At the opening of the court yesterday Helena White, who was convicted of stealing a piano from Charles J. Betts, was sentenced to the State Prison Thomas McGuire, alias Louis Bigley, who pleaded

guilty to petty larceny, was sent to the City Prison for thirty days.

Thomas Kitchen was indicted for stealing blankets and lap robes on the 26th of December, val-

Diankets and lap robes on the 26th of December, valued at \$600, the property of John Hoey, No. 331 West Twenty-third street. He pleaded guilty to the charge, and was remanded for sentence.

Jacob Smith, who was indicted for burgiariously entering the office of Thos. L. Olden, 113 Maiden lane, on the 22d of February, and stealing 3,000 serpent eggs, valued at \$30, pleaded guilty to an attempt at burgiary in the third degree. He was sent to the State Prison for two years and six months.

Charles Mortimer was tried and convicted of larceny from the person, the complainant being Mr. John S. Prouty, who testified that on the evening of the 12th of December, while entering an Eighth avenue car in Vesey street, he was surrounded by four men: they crowded him on the platform, and one of the party relieved him of a wallet containing United States Treasury notes and Missouri bonds, the aggregate value of which was \$6,000. Mortimer was arrested on the spot, but the alderman who presided during the temporary absence of the police justice, not understanding the case, dismissed the complaint. Justice Dowling subsequently gave directions to have Mortimer rearrested, which was accomplished by Captain Jourdan, to whom the accused made an interesting disclosure. He stated that "Johnny the Greek" and "Jess Allen" told him they had returned the property to Mr. Prouty, that he (Mortimer) handed the book to the "Greek" and never saw it afterwards. The other men told the prisoner that there was only \$466 in it, and he expressed the opinion to the captain that they "weeded" the book after it left his possession.

As soon as a verdict of guilty was rendered the Judge sentenced him to the State Prison for five left his possession.

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POLICE INTELLIGENCE.

A WATCHMAN CHARGED WITH LARCENY .- On Thurs day night a case of buttons, four bales of cotton and a roll of carpet, valued in all at \$904, were stolen from the pier of the Stonington Steamboat Company, foot of Jay street, North river, by some parties unfoot of Jay street, North river, by some parties unknown. Suspicions were subsequently excited against Henry Thompson, the night watchman employed on the pier, and he was accordingly arrested by officers Gilbert and Nesbit, of the Harbor police, and taken before Alderman Miller at the Tombs, where Mr. Lawrence De Vean, agent of the company, appeared and made an affidavit against him, charging the accused with the larceny. Thompson positively denies his guilt and says the goods must have been taken through a hole in the side of the pier from which it is said to be utterly impossible to pass the cotion and case of buttons. The prisoner, who is a Norwegian forty-eight years of age, was committed for trial in default of \$1,500 bail.

THE ROBBERY OF MR. COMERFORD.—Matthias Dec gan, brother to Joseph Deegan (previous;y arrested), was yesterday taken into custody by officer Hey, of the Twenty-seventh precinct on the charge of having the Twenty-seventh precinct on the charge of having robbed Patrick Comerford at the Philadeiphia Hotel, of \$520, on Wednesday afternoon last, as already reported. When taken in charge the accused said to the officer—"What does the old man (meaning Comerford) want." and was told he wanted his money. After some hesitation and prevarication the accused said he might have left the money at Thempson's Hquor saloon, corner of Sullivan and Spring streets, and on going there the officer found that the night previous Deegan had left \$419 with Thompson, and the money was recovered by officer Hey. The remaining portion of the money (\$101) has not been recovered, and the defendant falls to account for it. Matthias was held for examination. It is believed that Joseph Deegan, previously arrested for the robbery, is entirely innocent of the charge.

ARRESTED ON SUSPICION.—Between the hours of two and three o'clock yesterday morning Officer Messenger, of the Eighth precinct, met three men in Messenger, of the Eighth precinct, met three men in Mercer street, with two large carpet bags in their possession. The officer, suspecting something wrong, stopped the men and inquired what they had in the bags. They replied wearing apparel, but when Messenger made an examination he discovered that the bags contained boots and shoes. He then told the men that they would have to go to the station house, but they showed such a disposition to run that the officer informed them that they might get hurt if they did, and advised them to take up their baggage and march before him to the station house, which they did. The names of the prisoners are Henry Lucas, Thomas Warren and Thomas Ray. They were vesterfly brought before Justice Ledwith, and by him remanded back to the station house, in the hope that a complainant would appear and claim the property

CITY INTELLIGENCE.

PUBLIC ADMONITION OF REV. S. H. TYNG. JB .- The blic reprimand of the Rev. Stephen H. Tyng, Jr., n accordance with the sentence of the eccicourt, will be pronounced to-day, in the Church of the Transdiguration in Twenty-ninth street, near Pitth avenue. Bishop Potter will administer the

NATIONAL QUOIT CONVENTION .- A convention o quoit players will be held in this city, on Monday, the 6th and 23d instants, having in view the ad of rules and regulations whereby the playing of this game will be governed in a more uniform manner throughout the country. Clubs are invited to send delegates. The convention meets at Dunham & Wallace's, 744 Broadway. The call is issued by the New York Normal Quott Club, of which Harry Sharp is President. There are several quott clubs in aimost every principal city in the United States; but there are no rules governing what might be termed the American game. In Great Britain and France they have their own style of playing, and as there are no stipulated rules to govern the game here this movement deserves encouragement. Chub unable to be represented can communicate with Mr. Meeker, Secretary of the Normai Club, at 744 Broadway, New York. game will be governed in a more uniform manne

INTERNAL REVENUE .- E. A. Rollins, Commissioner of Internal Revenue, passed through this city yester day on his way to Washington. He has been spend ng a short time in New Hampshire, which he visited ing a short time in New Hampshire, which be visited for the purpose of voting in the late election. Deputy Commissioner Harland is now in Washington, having taken the Commissioner's place during his absence, but will return to his headquarters in this city as soon as Mr. Rollins reaches Washington. Owing to the unsettled state of affairs in the Revenue Department, and also to the fact that the Committee of Ways and Means have not yet reported on the proposed new bill, the officials in this city are at present at a standstill in relation to their action. No seizures were reported yesterday.

The Death of Richard Connell.—Coroner Kee.

THE DEATH OF RICHARD CONNELL.-Coroner Keenan yesterday held an inquest at Bellevue Hospital over the remains of Richard Connell, the man whose death was reported in yesterday's HERALD. The evidence went to show that on Wednesday afternoon Connell was very much intoxicated in West street, and committed an assault upon James Howard and committed an assaut upon James Howard.
Connell then ran away and fell face downwards
upon a pile of cobble stones lying on the
pavement, from which he was taken up by
officer Martin, of the Fifth precinct, and conveyed to
Bellevue Hospital, where death subsequently ensued.
A post mortem examination revealed the fact that
deceased had a fracture of the skull, which doubtless was caused by the fall on the cobble stones.
The jury accordingly rendered a verdict to this effect.

A PRINTERS' LIFE INSURANCE ASSOCIATION.—A
number of printers employed on the daily and weekly

number of printers employed on the daily and weekly newspapers and in book offices of the city held a meeting last night, preliminary to a series, to consider the propriety of organizing a life assurance association among the members of Typographical Union No. 6, having for its object the payment of Union No. 6, having for its object the payment of moneys to heirs of deceased insurers. The plan suggested by the originators of the movement, Messrs. Thos. M. Edwards, H. K. Kimbail and Abraham Petitch, seemed to meet with general approval. The meeting organized by the appointment of Mr. Edwards as chairman and Mr. Sandover as secretary, and on choosing a committee of seven to prepare a report to be laid before the subscribers, of whom there are nearly two hundred, when they next convene at the call of the chair, the meeting adjourned. CONVENTION OF IRISH SOCIETIES .- Last evening the delegates to the convention of the Irish societies assembled in the Hibernial Hall, Prince street, for the purpose of completing their arrangements for the celebration of St. Patrick's Day. Mr. P. McArdie occupied the chair. The Secretary read the minutes of the previous meeting, which were approved. Reports of committees were handed in, stating that the Mayor would review the procession, that the route would not be changed and that there would be an escort of police furnished. After the transaction of some routine business the meeting adjourned.

GARROTERS AT WORK .- Mr. Isaac Heinaman, of 699 Second avenue, while passing along the avenue, between Thirty-eighth and Thirty-ninth streets, on Tuesday night, at a late hour, was attacked by two young men and robbed of a silver watch and gold chain, valued at \$80. The robbery was effected by one man garroting the victing while the other rified his pockets of their contents.

A LOFTY FALL.—A woman named Julia Boel, while attempting to hang some clothes on a line out of the fourth-story window of No. 204 West Houston street, I.st her balance and was precipitated into the yard beneath. Her left thigh was broken, and she received internal injuries which, it is feared, will cause her death.

FOUND DROWNED.—On Thursday afternoon the dead body of a man was found on the south beach at Cedar Grove, Staten Island. He was dressed in drawers, undershirt and leather gaiters. He was about five feet ten inches in height, slight-build, with dark brown hair. The body appeared to have been in the water a considerable time.

FATAL ACCIDENT ON SHIPBOARD .- An inquest was yesterday held at the Fourth precinct station house on the body of John Phillips, late a night watchman on board the ship N. B. Palmer, lying at the foot of pler 27 East river, whose death was the result of compression of the brain and other injuries received on Thursday night by accidentally falling down a fight of stairs leading to the cabin of the ship. Deceased was sixty-three years of age and a native of England.

DIRTY STREETS.

The Citizens' Association Make a Few Suggestious.

As the public is greatly interested at present in the enforcement of the street cleaning contract, any facts bearing upon the subject will no doubt be perused with interest, The subjoined communication has just been sent by the Citizens' Association of New York to Senator Crowley, Chairman of the Senate Committee on Municipal Affairs, giving the law points in regard to Mr. Whiting's contract:—

New York to Senator Crowley, Chairman of the Senate Committee on Municipal Affairs, giving the law points in regard to Mr. Whiting's contract:—

CITIZENS' ASSOCIATION OF NEW YORK, March 12, 1868.
Mr. RICHARD CROWLEY, Chairman Committee on Municipal Affairs:—

DEAR STR—The CitiZENS' ASSOCIATION of New York begs leave to call your attention to the authority under which the contract for cleaning the streets of this city was awarded. This authority is found in the first aection of chapter 46- of the laws of 1866, commonly known as the New York City Tax Levy law. This law appropriates the sum of \$500,000 annually for cleaning the streets of this city, and prescribes that the work shall be done by contract, which is authorized and directed to be made by five of the highest officials in our city, namely, the Mayor, the Recerder, the Comptroller, the City Inspector and the Counsel to the Corporation, or a majority of them. The law also prescribes that the contract shall be awarded to the person or persons whose proposals shall, in the judgment of the above Commissioners, or a majority of them. The law also prescribes that the terms of the contract, and shall be most advantageous to the public interests. The law also prescribes that the terms of the contract is series and specifications shall be fixed by said commissioners, or a majority of them. It will thus be seen by your committee that the contract, its serms and specifications were left to the judgment of the five chief local officials in the city. The law gave these Commissioners the fullest power in the premises, and it is difficult to imagine how fuller authority or greater control could have been given to the local officials over the matter of the contract than was given in the law above referred to.

By an examination of the terms of the contract are chargeable union of the contract receives the thought of the contract are highly and the present contractor from 15 performance only when, in the judgment of the Commissioners, we have a contractor in not fulfill

DEATH OF MRS. WM. ROSS WALLACE.—Sarah M., the wife of Mr. Wm. Ross Wallace, the poet, died in Lansingburg, yesterday, after a lingering illness. The deceased was a daughter of Simeon Webster, of Hebron, Washington county, and grand-daughter of the late George Webster, of Lansingburg. The decease of her daughter, Maggie, about one year ago, hastened the death of this estimable woman. There is now but one child living, an interesting and accomplished girl of fifteen years.—Troy Whio, March 13.

REAL ESTATE MATTERS.

Speculation Continues—Pancy Prices for Fancy Lots-Earth Transmuted into Gold. Some years ago, when, through reverses in com-erce and the unfinancial manner in which the banks were managed, a panic revolutionized the country, destroying the credit of the oldest, soundest and ablest mercanttle houses, sliver and gold appreclated over paper money from seventeen to twentythe market, a furor for speculation setting in which at one time bade fair to involve and break down every other interest in the city. On the subsidence the panic real estate values rapidly receded, and "corner lots" in Wallabout Bay, afteen feet under ride water, were not sought after with as much activity as during the reign of the revulsion which followed and wiped out the false system of credit, so

mortgage), at.
Lot on corner of Madison avenue and Sixtyseventh street (northwest), 25.5x100 (ect,
taken by Robert H. Bleecker (two-thirds on

terday.

Official Transfers of Real Estate. The following were the official transfers of real es-

tate and leases recorded yesterday in this city and Kings county:-31st st. s, 8, 80 ft e of 6th av, 20x65. 9,000
West 36th st, No 69, (contract). 22,500
35th st, 8 s, 220.6 ft e of 3d av, 21x84. 2,000
49th st, 8 s, 200 ft e of 8th av, 20x100.5. 16,000
61st st. n s, 184 ft e of Lexington av, 20.6x100.5, 4,000
61st st, n s, 204.6 ft e of lexington av, 20.6x
100.5, (mtge \$4,500). 4,000
65th st, 8 s, 206 ft e of 3d av, 40x100.5. 10,000
69th st, 8 s, 250 ft w of 7th av, 50x100.5. 25,000
62d st, n s, 112 ft w of 1st av, 16x100.5. 8,050
88th st, n s, 330 ft e of 10th av, 26x100.8. 2,400
88th st, n s, 125 ft w of 10th av, 108x103x102.11x
121

100th st, n s, 450 ft w of 8th av, 20x201.10, (contract).
106th st, n s, 350 ft w of 9th av, 25x100.11
107th st, s s, 350 ft w of 9th av, 25x100.11
107th st, s s, 200 ft w of 9th av, 25x100.11
106th st, n s, 375 ft w of 9th av, 25x100.11
107th st, s s, 375 ft w of 9th av, 25x100.11
107th st, s s, 375 ft w of 9th av, 25x100.11
106th st, n s, 100 ft w of 9th av, 100x100.11
112th st, n s, 345 ft w of 3td av, 25x100.10
116th st, 175 ft e of 6th av, 25x100.11
123d st, n s, 260 ft e of 6th av, 75x100.11, half .10,000

22d st. s s. 100 ft w of 2d av, 25x98.9

Lafayette av, n s, 250 ft e Nostrand av, 50x100... 3,000
Throop av, e s, 75 ft n River st, 25x87.8x25.9
x68.8... w s, 25 ft n Gerry st, 25x100... 775
Lois 209, 210, 211, 212 Remsen est... 1,500
LEARES RECORDED IN BROOKLYN. 1,500
LEARES RECORDED IN BROOKLYN. 850
FLATBUSH.
Lloyd st and East Broadway, s e cor, 57x151.4x
53.6x150.8. GRAVESEND. 1,250
Parcels of land on Gravesend bay, near Voorhies est... NEW LOTS.
Baltic av, s, s, 25 ft e of Butler, 25x100... 1,500
Aslitic av, n s, 62.6 ft w of Adams st, 25x100... 3,000
Baltic av, n s, 125 ft w of Adams st, 25x100... 3,000
NEW UTRECHT.

Lots 267, 277, 278, 286, 287, 294, 205...... 500

Lots 267, 277, 278, 286, 287, 294, 205.

Road to Flatbush, e.s., adj. J. Lotts' land, 75x160. 209
The following were the transfers in Hudson county,
N. J., yesterday:

JERSEY CITY.

South 3d st. n.s., 25 ft w of Grove st. 16.8x100. 6,500
West Hodons.

Garden st. e.s., 149, 10 ft s of 8th. 20.10x100. 1.083
Newark st. n.s. 100.4 ft s of 8th. 20.10x100. 1.083
Newark st. n.s. 100.4 ft s of 8th. 20.10x100. 1.083
Newark st. n.s. 100.4 ft s of 8th. 20.10x100. 1.083
Newark st. n.s. 100.4 ft s of 10 days in 1.6x50. 1.460
Dubois st. s. s. lots 74 and 75. E Dubois' map. 5,500
Meadow st. w.s., 212.4 ft s of 20 st. 15.8x16. 4,500
New st., to 21). E Dubois' map. 2,400
HUDSON CITY.

Lot on e s of lot 6. 106 ft sof Newark av. Wright
A Smith's property, 25x146. 550
Bergen av. e.s. near Frankin st. lots 313 and
314, each 25x100. 4.00
Warren st. n.s. lot 189, Centre Hill. 25x100. 400
St. Paul's av, s. 50.6 ft w of Montgomery av. 40.4x100x59.9x110. 4.000
Montgomery and 5t Paul's avs. s. w corner. 55.6x48x54.2x50.5. CNION.

Franklin st, s.s. lots 409, 410 and 411, each 25x 100. 500
Franklin st, s.s. lots 407 and 408, each 25x100. 500
Franklin st, s.s. lots 407 and 408, each 25x100. 500

ALIEN INCOME TAX.

The following decision of the Commissioner of Internal Revenue allows the \$1,000 exemption to

non-resident aliens doing business in this country;—

OPFICE OF INTERNAL REVETUE,

WASHINGTON, March 3, 1868.

SIR—Yours of 3181 December last, referring to copy of a letter of this office of 21st uit, to Assessor P. C. Van Wyck, relative to the income from business of alien non-residents carrying on business in this country, and inquiring the ground of our decision against the allowance of \$1,000 exemption, deduction of house rent, Ac., was duly received, but answer has been delayed. I now reply, that since writing the letter of the 21st December, 1867, to

Amessor Van Wyck, the office has determined to give the tampayer the benefit of the doubt as to exemption of \$1,000 under section 116, and to allow the same. The deduction for house rent cannot be allowed in the case of a person who is a non-resident. Respectfully.

E. A. ROLLINS, Commissioner.

BROOKLYN CITY.

SUPREME COURT-CIRCUIT.

How Political Appointments Are Secured A Sult for Lobby Services. Before Justice Lots.

E. J. Sherman vs. Samuel H. Roberts. - The plain-tiff alleges that in the month of May, 1866, and all

various times, George B. Lincoln, President of the Board of Health, came to his office, accompanying General Roberts, who was a stranger to him, and General Roperts, who was a stranger to him, and introduced him, when said Roberts offered the plaintiff \$1,000 to procure for him the office of Gollector of Internal Revenue for the Third Gollector of Internal Revenue for the Third Gollector of Internal Revenue for the plaintiff failed, but eventually applied for the positions of postmaster of Brooklyn for the defendant, in Roberts, the successful applicant, carried out the prize in the face of hundreds of others, who had flattered themselves that their chances for the appointment were not to be senezed at. Mr. Thomas, Kinsella, who had only been appointed a few months previously, was removed, and Mr. Roberts acceeded him. Mr. Sherman then reminded him of his alleged promise, but Mr. Roberts and on recollection at that time of ever having made such a promise. Sherman, not feeling inclined to retinquish the matter, threatened Mr. Roberts with the law; but it specars he was not sufficiently terruled by the threat to launch out the sum claimed. A sunt when instituted, and it was call on one trial in the Supreme Countries of the plaintiff informed the lury that that this suit had been brough against the Postimaster of Brooklyn to endother a gazinst thim which he had repost the most of the plaintiff informed in Washington that dropen informed in the position of Collector in Brooklyn, was about to be reversible, was spoken of as the man who desired the position. The plaintiff, he said, was informed it bowen, who at that time held the position of Collector in Brooklyn, was about to be reversible, was spoken of as the man who desired the position. The plaintiff and Mr. Roberts were brought together and he agreed with Mr. Sherman for the drawing up of proper papers to put him in connection with parties who could help him to the appointment, and had agreed, in case he got it, to give Mr. Sherman \$4,000. General Pratt, however, received the appointment, and Mr. Roberts were brought to give Mr. Sherman \$500 if he was appointed. Steps were taken for the plaintiff and sherma

BROOKLYN INTELLIGENCE.

TROUBLE ABOUT A BURIAL PERMIT. - Corone Smith yesterday ordered the body of a woman named

daylight yesterday morning the dry goods store of daylight yesterday morning the dry goods store of
J. J. O'Reilly. Fulton street, near Concord, was burg
lariously entered and robbed of several pieces of
silk and empress cloth, valued in all at \$400. The
thieves effected an entrance through the basement
door and thence up the starway into the store. The
first indication had of the robbery was on finding the
wrappers of the goods on the floor, which discovers
was made by the tierks on entering the store at
their asual hour in the morning. Word was conseved to the Central office by the proprietor of the
store and an officer was detailed to work up the case.

IRELAND'S PATRON SAINT.—This will be the sublect of a lecture to be delivered by the Rev. Eugend

ject of a lecture to be delivered by 'ne Rev. Eugene cassidy, at the Star of the Sea church, Court street, on Sunday evening next. The well known ability of the lecturer to treat of this peculiarly interesting discourse show at in itself be a surety for a crowded audience. But the object in view is one which is deseroing of general support, being none other than the education of the children of that parish. The new, spacious and elegant school house just unished is encumbered, and there are bills requiring immediate liquidation, towards the payment of which the proceeds of the lecture will be devoted.

NEW JERSEY.

Excitement on the Harsimus Cove buil by the senate in the face of the protests presented by Senator Winfield from the Merchants' Exchange and people of field from the Merchants' Exchange and people of Jersey City, has created intense excitement, particularly among the residents of the Fifth ward, to many of whom the measure seems a presage of ruin, Mutterings of violence were heard yesterday, and it is to be feared that the execution of the design, as far as it relates to the construction of another line of railway through the city, will result in serious and prolonged troubles. The last plank, however, has not yet been withdrawn, and the Citizens' Committee will make another struggle on Tuesday next, when the bill will be brought before the House for concurrence in the amendments. Meanwhite the Legislature have adopted a resolution appointing next Friday for a visit of both houses to the property in question, when members will be more instructed on the issues between the people and the monopoly. The Hudsom county Board of Freeholders adopted a resolution at their meeting on Thursday protesting against the passage of the bill. If all should fail now the citizens will test the question in the courts. EXCITEMENT ON THE HARSIMUS COVE QUESTION. -

Hoboken.
Suicipe.—At four o'clock yesterday afternoon a-man named James Rogers, forty-two years of age. who resided at 51 Second street, committed suicide by shooling himself through the head with a pistol. His mind had been of late filed with despondency, and at times he would start in fits of alarm, when he would be overcome with a presentiment that he was to die of consumption. Coroner White will hold an inquest to-day.

Union Hill. THE MCRDER OF MR. DARLING .- The Board of Chosen Freeholders offer a reward of \$250 for the arrest and conviction of the murderer of Mr. Darling, who was shot at his residence in West New York as a few months ago. A similar amount will be offered by Governor Ward. Trenton.

ARREST AND CONVICTION OF A NOTORIOUS RAILROAD THIEF.—Yesterday morning a woman, who,
gave her name as Caroline Hirt, was arraigned in the
police station on a charge of purioning from the
railway cars between Princeton and this city,
on the previous day, a value belonging to
Thomas J. Hail, No. 24 warren street, New
York. It appears that Mr. Hail was travelling
to Philadelphia and left his value, containing a quantity of dry goods samples, in his seat, and retired to
the smoking car. On his return to his seat he found
his portmanteal missing, and suspicion attached to
a female who left the cars at Trenton. When the
train arrived at Philadelphia Mr. Hail had an interview with the authorities there, who, from the circomstances related, advised him to return to Trenton and submit his case to the Chief of Police. This
was done, and the alleged thief was arrested in a
beer salcon on Thursday evening. The property was
found in her possession, and she was sentenced to
three months' imprisonment in the county jail. The
defendant is also a New Yorker, and is known to the
police as one whose name appears in the long category of railroad thieves. ARREST AND CONVICTION OF A NOTORIOUS RAIL-